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UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

LUIS GAYTAN, Plaintiff, vs. CITY OF BRAWLEY, OFFICER TORRES, and DOES 1 through DOE 100, Inclusive, Defendants.	No. 07-CV-2353-L-BLM **JOINT MOTION TO CONTINUE MANDATORY SETTLEMENT CONFERENCE**

IS HEREBY STIPULATED by and between plaintiff LUIS GAYTAN (hereinafter "plaintiff") through his attorney of record, Harold M. Hewell, Esq. and defendants CITY OF BRAWLEY and OFFICER TORRES (hereinafter "defendants") by and through their attorney of record, Steven R. Tisi, Esq., as follows:

1. A Mandatory Settlement Conference is scheduled in this matter for September 10, 2008. This Settlement Conference follows an Early Neutral Evaluation Conference that occurred on May 23, 2008, approximately three months ago.

2. Following the Early Neutral Evaluation Conference, the parties jointly submitted a Discovery Plan. Initial Disclosures have also been served as well as written discovery.

3. The parties are currently in the process of scheduling depositions, now that the preliminary written discovery stage has commenced. Unfortunately, it does not appear as if depositions of the primary witnesses will be completed prior to September 10, 2008. The parties agree that it is important to complete the depositions of primary witnesses prior to the Mandatory Settlement Conference, so that additional information can be obtained to supplement the parties' positions.

4. The parties therefore submit this joint motion for a continuance of the Mandatory Settlement Conference. At the time of submitting this motion, the parties have been informed that the court is available for a Mandatory Settlement Conference on October 8, 2008, at 1:30 p.m. Both parties are currently available at that date and time, and will hold said date and time until an order is issued regarding this motion.

5. This motion may be executed in counterpart, and a signed facsimile copy of this motion shall be deemed an original.

DATED: August 21, 2008

HEWELL LAW FIRM

By: *s/Harold M. Hewell*
HAROLD M. HEWELL
Attorney for Plaintiff LUIS GAYTAN

DATED: August 21, 2008

GIBBS & FUERST

BY: *s/Michael T. Gibbs*
MICHAEL T. GIBBS
STEVEN A. TISI
Attorneys for Defendants CITY OF BRAWLEY and OFFICER TORRES